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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Bradley *et al.*

SERIAL NUMBER: 09/546,085

EXAMINER: Suryaprabha Chunduru

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ART UNIT: 1637

FOR: CHEMICALLY MODIFIED BIOLOGICAL MOLECULES AND METHODS FOR  
COUPLING BIOLOGICAL MOLECULES TO SOLID SUPPORT

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## TERMINAL DISCLAIMER

The owner, Baylor College of Medicine, of the instant application assigned by inventors Wei-Wen Cai and Allan Bradley,

hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§154 to 156 and 173, as presently shortened by any terminal disclaimer, of any patent granted on the application of serial number 09/853,343 and patent number 6,048,695. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the patent and prior application are exclusively licensed to Spectral Genomics, Inc. and co-owned by assignee Baylor College of Medicine. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§154 to 156 and 173 of the prior application or any patent granted on the prior application, as presently shortened by any terminal disclaimer, in the

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event that either any patent granted on the prior application later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of their full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned Applicant's representatives file this Terminal Disclaimer under 37 C.F.R. § 1.34(a). A check (#17263) for \$55.00 to cover the terminal disclaimer fee under 37 C.F.R. § 1.20(d) is included. The Commissioner is authorized to charge any additional fees or make any credits to the account of the undersigned, Deposit Account No. 50-0311, Ref. No. 27476-510.

Respectfully submitted,



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